

## **IV. MASTER RESPONSES**

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This section includes master responses to address comments that were raised repeatedly on the following topics. The number of the letters that commented on the topics are listed in the Comment Letter Matrix, and following each comment. Page numbers indicated throughout this Amendment refer to the Draft EIR.

- A. Aesthetics**
- B. Air Quality**
- C. Biological Resources**
- D. Land Use and Planning**
- E. Noise**
- F. Notification**
- G. Parking**
- H. Project Schedule**
- I. Public Services**
- J. Transportation / Traffic**
- K. Utilities and Service Systems**



### List of Commenters

1.	<b>County Roads and Airports Department</b> , Rajuca Nitescu	A-7
2.	Gary & Patricia Scarsdale, 3712 Europe Court	A-57
3.	Gary Vernik, 1363 Sarita Way	A-61
4.	Danny Hahn, 3722 Europe Court	A-65
5.	Sarvesh Mathur, 3757 Adriatic Way	A-67
6.	Michele & Keith Miyasaki, 3748 Adriatic Way	A-71
7.	Carrie Walters & Michael Clapperton, 1337 Halford Avenue	A-75
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9.	Vincent Lum, 1341 Casa Court	A-81
10.	Chong Teoh & Cheng-Tse Fu, 3615 Brach Way	A-85
11.	S. Prasads, Europe Court	A-89
12.	Chungman Ho, 1362 Casa Court	A-93
13.	Dr. William J. & Judy L. Murray, 1326 Karina Way	A-97
14.	Linda McClure, 3713 Europe Court	A-101
15.	Bill Hesley, 3719 Europe Court	A-105
16.	Mario Mere, 3681 Brach Way	A-109
17.	Kathryn L. & Herbert D. W. Ebhardt, 1316 Karina Way	A-113
18.	Russell Ryono, 1373 Sarita Way	A-117
19.	Jill Lipari, 1572 Peacock Avenue, Sunnyvale	A-121
20.	E. J. Wright, 1414 Sarita Way	A-123
21.	Ivonne Zelaya, 1338 Thunderbird Avenue	A-127
22.	Charles H. Moss, 1062 Castleton Way, Sunnyvale	A-129
23.	Norval Nelson, 1099 Bryant Way, Sunnyvale	A-131
24.	Martin Blatner, 3683 Europe Court	A-135
25.	Ron Eckert, 1370 Sprig Court, Sunnyvale	A-137
26.	Lorraine May, 1143 Cotswald Court, Sunnyvale	A-141
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28.	Murali V., 1396 Gazdar Court	A-147
29.	Derek Jewhurst, 3605 Brach Way	A-149
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31.	Aaron Weiner, 1332 Casa Court	A-153
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55. Gordon Wilson, 1334 Spoonbill Way, Sunnyvale	A-233
56. Scott Kidney, 1349 Thunderbird Avenue, Sunnyvale	A-235
57. Tappan G. Merrick, 1091 Firth Court, Sunnyvale	A-239
58. Michele Maresca, 3745 Adriatic Way	A-247
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## A. AESTHETICS

*Following are the general comments that were made on aesthetics, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

### **1. 8-story structures will block views / light** (2, 3, 7, 11, 14, 20, 29, 46, 53, 58)

Distant views from the existing residences will change; however, they are already partially blocked by trees, and more trees will be added. The view to the hills surrounding the Valley would be blocked by any development of one-story or greater along Halford Avenue; the development of the eight-story building would not increase the impact to views over that of any other building height. The project will not have a substantial adverse effect on a public scenic vista.

The proposed buildings are located north of existing residential units and, as shown on the following Shadow Diagrams, shadows from the buildings would never shade the adjacent residential area and would not block light to the units. The proposed buildings would be visible from the second-floor levels of the existing residential units, although the views would be fully or partially screened by the existing and proposed trees, as shown in the following photographs. Additional trees are proposed to fill in the empty spaces. The proximity of a mature tree screen will affect extended views to a similar degree as multi-story structures.

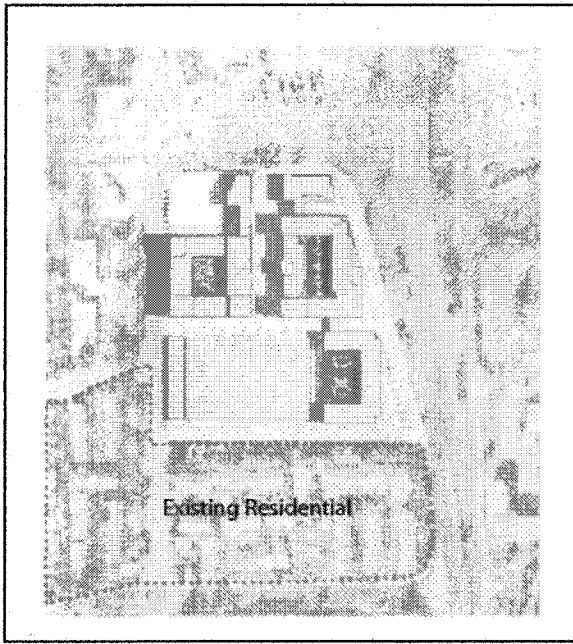
### **2. The project will cause an adverse visual impact** (2, 6, 7, 9, 13, 14, 29, 32, 39, 48, 50, 53, 58)

The Conceptual Future Views, included in the Text Amendments, show existing views of the site and future views upon completion of the project.

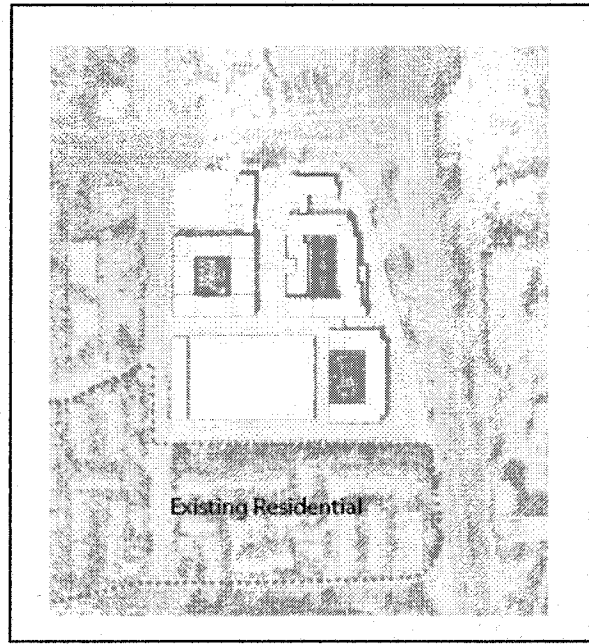
As stated on page 34 of the Draft EIR, judgments regarding aesthetic qualities are highly subjective and vary from one person to the next. The Planned Development zoning procedure that the project must go through requires the submittal of detailed architectural and landscape plans for review and approval by the City. The visual quality of the project would be one of the criteria in that review.

### **3. 8-story structures are incompatible with the neighborhood and with the City, and the project is too cramped and crowded** (2, 4, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 31, 34, 35, 37, 40, 41, 42, 43, 44, 45, 48, 56)

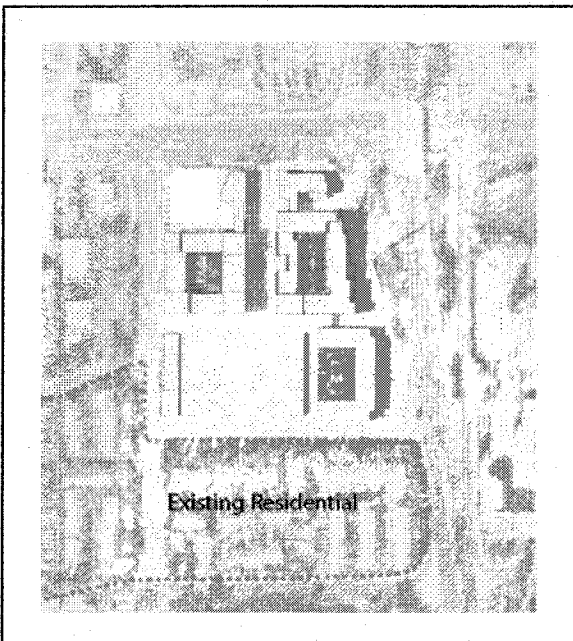
As stated on page 64 of the Draft EIR, the existing General Plan land use designation for the project site is Transit-Oriented Mixed Use, with 26 to 45 du's/ acre and up to 99 persons/acre. This designation is intended to encourage higher density residential development in conjunction with commercial development or redevelopment. For sites where adjacent properties are designated single family, total building height should not exceed three stories including parking, within 50 feet of an adjacent single family property. The proposed project is adjacent to a Moderate Density Residential site that is a higher density than single family. While the Transit-Oriented Mixed Use designation does not address any restrictions for higher density residential,



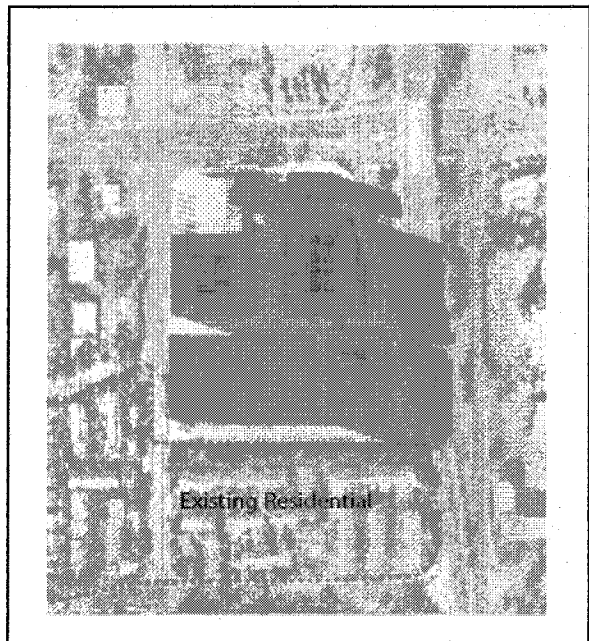
9:00 a.m.



Noon



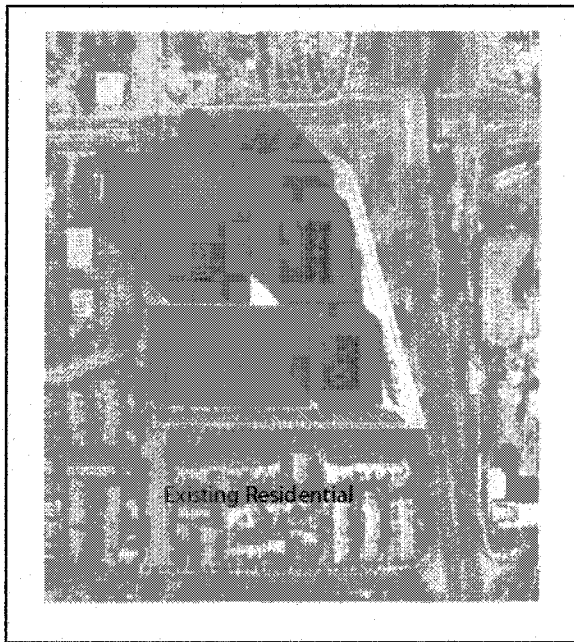
3:00 p.m.



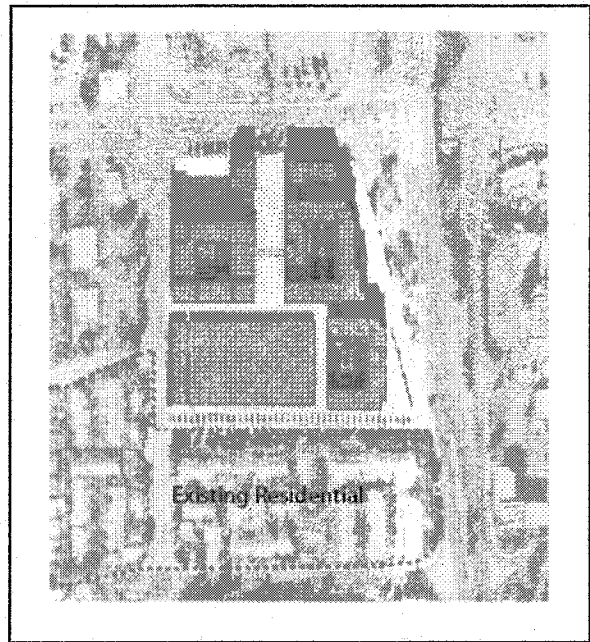
6:00 p.m.

■ Shadow

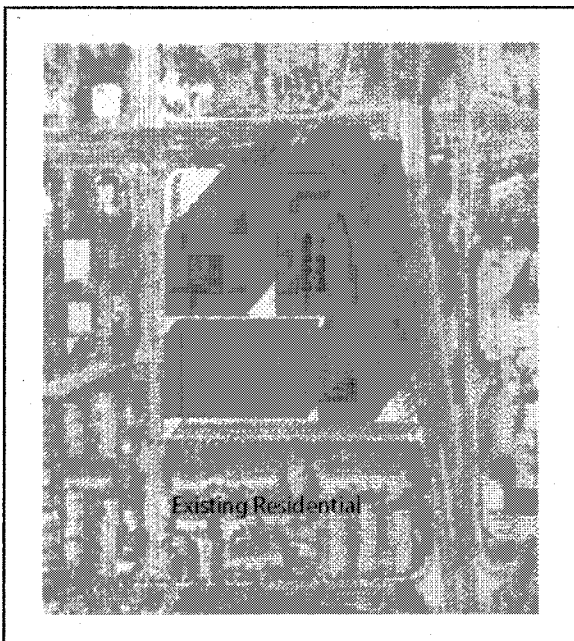
## Shadow Diagrams – Summer



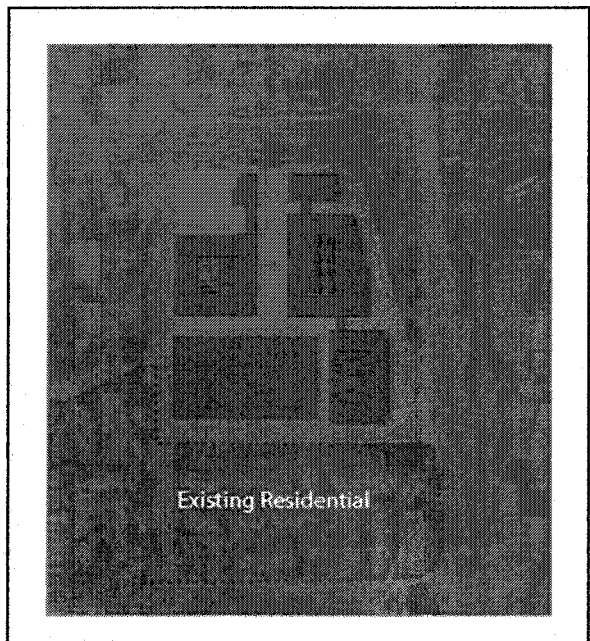
9:00 a.m.



Noon



3:00 p.m.



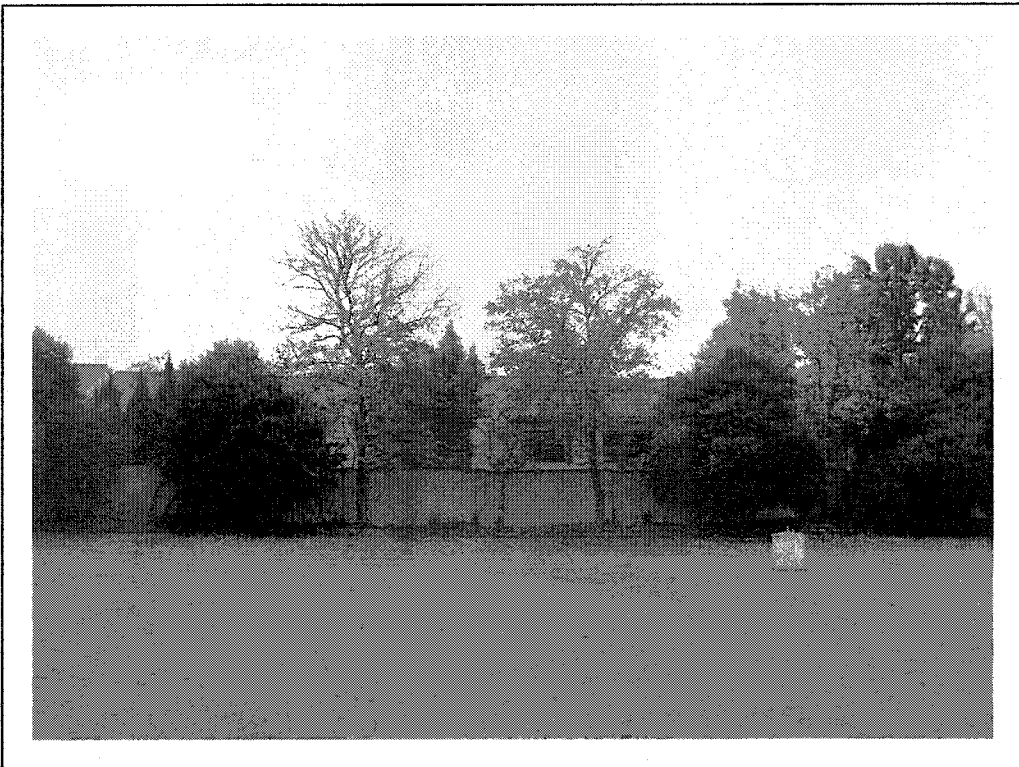
6:00 p.m.

■ Shadow

## Shadow Diagrams – Winter



Existing trees.



New trees will be added here.

## Southerly Boundary



it is presumed that the restrictions would not be greater, i.e., less than 50 feet. The proposed project is located 53 feet from the nearest residential properties in the Casa del Valle development to the south, and there is a total of 83 feet between the existing residential buildings and the Santa Clara Square buildings, as proposed. In addition, the proposed project is screened by a row of existing and proposed trees along the southerly residential property line.

**4. Development will cause additional light and glare (14, 24, 40, 58)**

As stated on page 35 of the Draft EIR, downward-directed lights with low elevation standards in the parking areas will be provided in order to prevent offsite light and glare. Downward-directed lights will also be provided on the back of the Kohl's building. The exterior materials of the buildings will not be reflective and the limited number of windows on the upper floors of the southerly elevation would not cause excessive light or glare. Also, the sun angles would likely not reflect glare to nearby homes from the residential windows; and the tree screen would block any reflection.

**5. Construction mess/litter will increase, and debris should not be visible from public streets or existing communities (20, 29, 53)**

As stated on page 35 of the Draft EIR, public streets that are impacted by project construction activities will be swept and/or washed down daily; and debris, rubbish and trash will be cleared from any areas onsite that are visible from a public street. Compliance would be monitored by City construction inspectors and non-compliance could be reported to the City by area residents.

**6. Replacement trees might not blend with existing trees in neighborhood (29, 53)**

The comment is noted. The trees will be reviewed upon submittal of landscape plans as part of the Planned Development zoning procedure to ensure that they are compatible with, and blend with, the existing trees.

## **B. AIR QUALITY**

*Following are the general comments that were made on air quality, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

**1. More traffic will cause more pollution (2, 3, 5, 7, 9, 10, 11, 12, 13, 14, 17, 24, 25, 31, 33, 39, 46, 48, 50, 53, 58)**

A comprehensive evaluation of the project's air quality impacts, consistent with the requirements of CEQA, was provided in section III. C. Air Quality, pages 37-41 of the Draft EIR. The air quality assessment acknowledges that there would be increases in air quality emissions. Motor vehicles are the primary source of air pollutant emissions associated with the project, and the analysis shows that the impacts at major intersections would not change or only increase by 0.1 ppm. Impacts adjacent to the project site and on neighborhood streets such as Halford Avenue would be less and would not exceed Federal or State standards. Transit-oriented development is intended to site residential densities on transit corridors to encourage a reduction in vehicle trips.

## **2. Construction will cause dust / pollution (3, 11, 14, 20, 25, 29, 33, 35, 40, 43, 53, 58)**

As stated on page 41 of the Draft EIR, the project would produce short-term fugitive dust as a result of soil movement and site preparation and that it is a potential significant impact that requires mitigation. A Construction Air Quality Plan is recommended for dust control and suppression. The requirement for the plan is part of the project conditions of approval. Compliance with the plan would be monitored by City construction inspectors and non-compliance could be reported to the City by area residents.

## **C. BIOLOGICAL RESOURCES**

*Following are the general comments that were made on biological resources, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

### **1. Fewer trees should be removed / trees along Halford Avenue and the southerly site boundary should not be removed (4, 8, 40, 58)**

Clarifying pages 44-45 of the Draft EIR, approximately 90 trees along the southerly and easterly site boundaries are planned to be retained with the project. Any tree that is removed would be replaced with the addition of new trees to the maximum extent feasible on the site. Where trees along the southerly property line are missing or diseased or in poor condition, they will be replaced. Additional trees are planned to be added as part of the project landscaping.

The row of Canary Island Pine trees located along Halford Avenue, which were originally planted to screen the auto service bays of a previous use, are to be removed. A two-story retail/office building is planned at that location, and new trees will be planted along the street frontage. The row of trees along the southerly property line are not planned to be removed, as shown on the Existing Trees table and Trees to be Removed map in the Technical Appendix of the Draft EIR. See Text Amendments.

## **D. LAND USE AND PLANNING**

*Following are the general comments that were made on land use and planning, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

### **1. The density is too high (2, 6, 7, 8, 13, 14, 15, 16, 20, 24, 25, 32, 34, 35, 37, 40, 42, 43, 44, 53, 56)**

**8-story buildings incompatible in area (4, 7, 9, 12, 14, 16, 17, 18, 20, 35, 40, 41, 42, 43, 44, 45, 48, 53, 56)**

**No precedent for this type of use in the area (2, 6, 9, 42)**

In order to respond to these comments some background information is necessary. The City of Santa Clara updated its Housing Element in 2002 to comply with State requirements, Association of Bay Area Government (ABAG) fair share numbers, and to move towards a jobs / housing balance. In 2002, the General Plan Land Use Element was updated so that it was compatible with the Housing Element and on July 23, 2002 the City Council adopted changes to

the Land Use Element for a total of 72 sites in the city. The majority of the sites (40) are located on El Camino Real where the number of housing units was increased from approximately 240 existing units to a capacity for approximately 5,900. In addition, the City Council approved the following Transit-Oriented Mixed Use land use designation:

**Transit-Oriented Mixed Use**

*“Twenty-six to 45 du/acre and up to 99 persons/acre. This designation is intended to encourage higher density residential development both in close proximity to multiple transit lines and in conjunction with commercial development or redevelopment.*

*For sites with approximately a one-acre or larger lot, this designation is intended to encourage high quality mixed use development which includes residential uses, accessible separately from adjacent commercial or office uses. For sites where adjacent properties are designated single family on this Plan, total building height should not exceed three stories including parking, within fifty feet of an adjacent single family property.*

*Application of this designation would be based on transit services and surrounding land uses.”*

Several study sessions and public hearings were held prior to these actions.

As part of the above action, the land use designation on the project site was changed from Commercial to Transit-Oriented Mixed Use (26 – 45 du/acre) with a capacity for 567 units.

The proposed project is designed in accordance with the Transit-Oriented Mixed Use designation as follows:

- The density is 38.8 du/acre.
- The population density is 97 persons/acre.
- The project is adjacent to three transit lines located on El Camino Real and one on Lawrence Expressway.
- Commercial retail and office development are proposed with the project.
- The project is high quality.
- The project site is not adjacent to property with a single family land use designation as the adjacent property to the south is designated Moderate Density Residential.

The proposed project is not initiating a change in the land use designation on the site, but is implementing a change in land use that was made by the City Council over four years ago in 2002.

While the density is higher than the adjacent and nearby properties, the project site is located adjacent to a major thoroughfare – El Camino Real – to the north, an expressway – Lawrence Expressway – to the east and commercial uses to the west across Halford Avenue. The residential townhomes to the south of the site are two-story structures that are separated from the project by an 8-foot masonry wall and a row of 20- to 40-foot-tall trees. There are some gaps in the trees; additional trees are planned as part of the project along this boundary to fill in where trees are missing.

Building I is a two-story retail commercial / office building located on Halford Avenue. Building I is set back the same distance as Kohl's from the southerly property line. Building VI, which is three levels of residential over three levels of parking, is the southerly residential building on the project site. It is set back approximately 53 feet from the property line as shown in the following cross-section. This is a greater distance than would be required if the adjacent land use designation was single family. There are 25 townhomes that back up to the southerly property line: 11 of them along the easterly section would be directly south of Building VI; the other 14, on the westerly section, back up to Kohl's and would be over 400 feet from the 8-story buildings (II and V) to the north.

**2. Privacy will decrease** (5, 12, 13, 14, 15, 18, 20, 29, 37, 40)

Views from the residential units in Building VI will be able to look down toward the residential area to the south, but the views will be fully or partially screened by the row of 20- to 40-foot-tall trees along the property line. Building VI has also been redesigned to remove the units on the top floor that could look down into the adjacent properties in order to provide visual protection for those properties. The new terrace will prevent residents from looking down into the adjacent properties.

**3. Home values will decline** (2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 20, 29, 31, 34, 53, 58)

The comments on lower home values are noted; however, according to the CEQA Guidelines §15358(b), effects analyzed in an EIR must be related to a physical change in the environment. Social and economic impacts, such as changes in real estate values, are not considered environmental effects under CEQA and are not required to be evaluated as part of an Environmental Impact Report.

**4. Commercial/office uses within the project may be objectionable** (29, 35, 38, 40, 43, 53, 58)

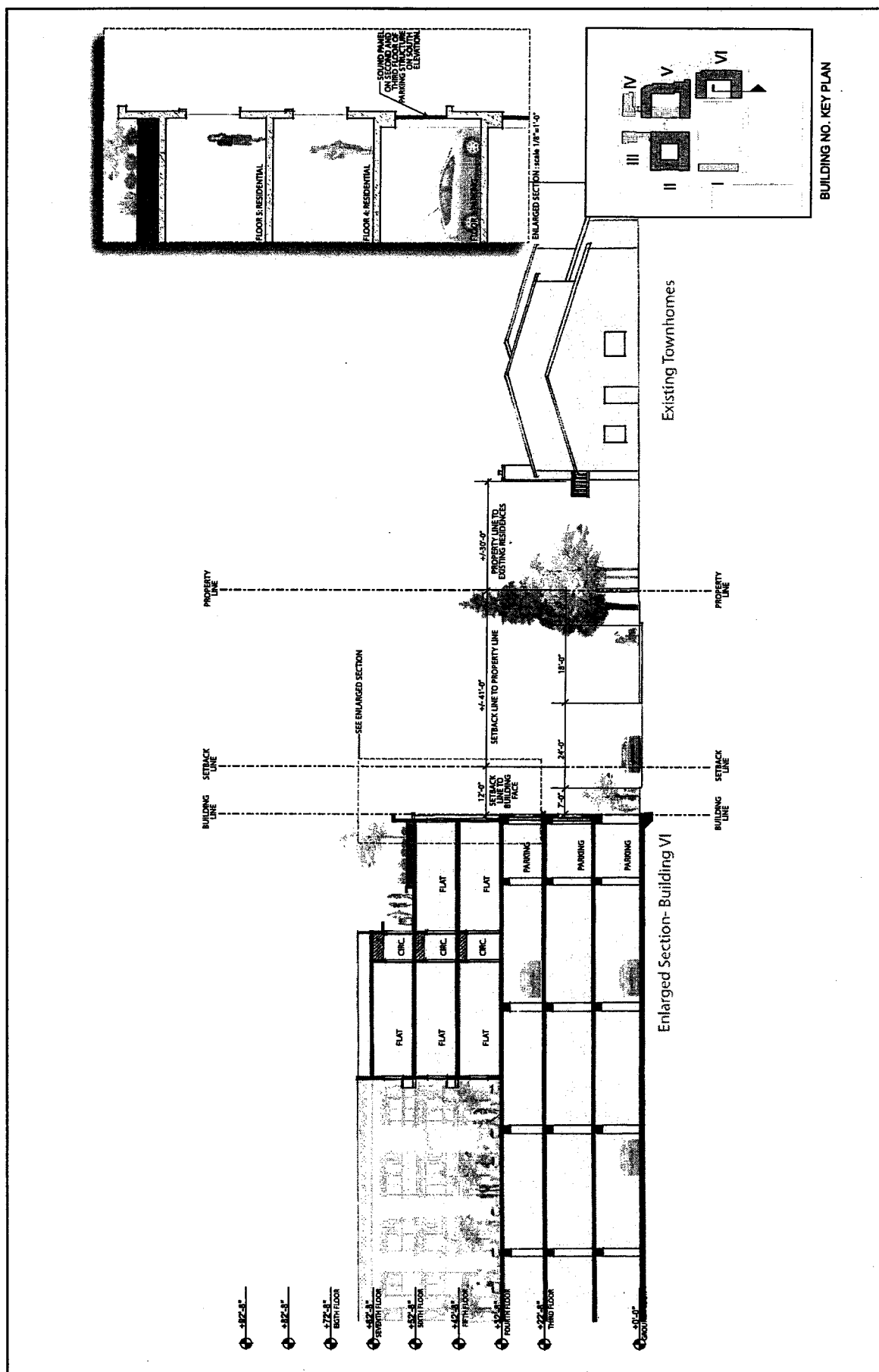
While the precise businesses that will be located on the site are not known at this time, they will be governed by the following project conditions:

*"All uses contemplated as part of this Mixed Use Project shall be operated so as not to be objectionable or detrimental to adjoining commercial and residential tenants and adjacent residential and commercial properties. Permitted uses shall be those that are consistent with Community Commercial (CC) uses and/or determined by the Zoning Administrator to be similar in nature or compatible with residential uses, except as provided below:*

***Nonpermitted Uses***

*Uses not permitted are those found to adversely impact adjoining commercial and residential tenants and adjacent residential and commercial properties, and include but are not limited to:*

- Auto related activities – such as auto rental, repair, maintenance, storage, service, accessory sales and accessory installations*
- Motorcycle sales and service*
- Incidental storage and accessory uses, including repair operations*



# Existing Townhomes Cross-Section

- *Music studio*
- *Dance club*
- *Catering service*
- *Lodges, clubs*
- *Drive-thru facility*
- *Laundromat*
- *Indoor amusement, such as pool hall, arcade, karaoke*
- *Research laboratories and testing offices*
- *Manufacturing or processing of any kind*

**Conditional Uses**

*A Use Permit shall be required for the following activities and uses determined by the Zoning Administrator to be similar in nature:*

- *Restaurants serving alcoholic beverages*
- *Restaurants with outdoor seating in excess of 12 seats*
- *Outdoor display, incidental to a permitted use*
- *Day spa, salon*
- *Cocktail lounge, bar, tavern*
- *Live entertainment*

## **E. NOISE**

*Following are the general comments that were made on noise, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

**1. Ambient noise in the neighborhood will increase** (2, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 20, 29, 33, 39, 40, 56, 58)

A comprehensive evaluation of the project's noise impacts, consistent with the requirements of CEQA, was provided in section III. K. Noise, pages 67-73 of the Draft EIR. Adjacent and nearby residents are currently affected by the existing traffic noise levels, primarily from El Camino Real and Lawrence Expressway, that are identified in the report. The project would not significantly increase existing noise levels; in fact, the project buildings would actually help reduce noise levels to the west by shielding noise from Lawrence Expressway.

**2. Noise from project traffic / parking** (2, 6, 8, 10, 13, 20, 24, 31, 35, 40, 42, 43, 48, 56, 58)

A new gate will be installed on the southerly driveway near Halford Avenue, as shown on the revised Site Plan. The gate will only be opened for deliveries and emergencies, and there will be no through traffic.

**3. Noise due to the parking structure** (13, 29)

As stated on page 71 of the Draft EIR, the existing residences adjacent to the southerly portion of the site are currently exposed to vehicle noise from traffic along Lawrence Expressway and intermittent noise from trucks and cars accessing the existing parking lot. The proposed parking/housing structure has two, partially offsetting, effects on noise:

- Vehicle noise in the garage may be audible at the nearest residences.

- The structure will provide some shielding from vehicle noise on Lawrence Expressway for the existing residences.

Mitigation measures for noise from vehicles in the parking areas of Building VI near the southerly property line are recommended on page 72 of the Draft EIR and included as conditions of approval.

#### **4. Construction noise (5, 11, 17, 25, 29, 33, 35, 40, 43, 53, 58)**

Noisy construction operations hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, as stated on page 73 of the Draft EIR, are limited by Santa Clara City Code Section 9.10.230, that applies to all construction projects in the city that are within 300 feet of any residentially-zoned property. In addition, if pile driving is necessary, pile driving construction hours will be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday, with half-hour breaks every three hours, and no pile driving on weekends. See Text Amendments to section III. K. Noise. Compliance with the hours would be monitored by City construction inspectors, and non-compliance could be reported to the City by area residents.

#### **5. Car alarm noise will be a problem (14, 29, 40, 53)**

Building VI, which is located closest to the Casa Del Valle development, will be provided with solid screening on the rear elevation of the parking structure to reduce potential noise impacts associated with car alarms and vehicle noise. The design of the screening will be reviewed and approved as part of the development approval. According to the Santa Clara Police Department, car alarm incidents in the City are not a big problem and calls involving them are few and far between. When they do occur, they are mainly in unsecured lots at the car dealerships on Stevens Creek Boulevard. If a car alarm goes off and the owner does not deactivate it, a citizen can call the police department. If the police cannot locate the owner and get the alarm turned off, they can have the vehicle towed. Because of their infrequency, although it would of course be disturbing at the time to those affected, car alarm noise would not be a significant impact.

## **F. NOTIFICATION**

*Following are the general comments that were made on notification, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

#### **1. Live nearby but received no notice / 300-foot rule not enough / Sunnyvale residents not notified (22, 33, 49, 54, 55)**

In accordance with State law, all property owners within 300 feet were notified, irrespective of the City in which they live. The City of Sunnyvale provided email addresses and phone numbers for two resident associations, but no mailing addresses. They were both contacted by email and phone for addresses; however, no response was received. Addresses for Birdland Neighborhood Association and Raynor Park Neighborhood Association were obtained on November 30, 2006 and they have been added to the list for future notices. Although mailing addresses were not

requested on sign-in sheets from those who attended the neighborhood meeting on November 14, 2006, email addresses and phone numbers are being used by City staff to obtain mailing addresses for future notices.

**2. Casa del Rey should get noticed for Use Permits, same as Santa Clara Square (35, 40, 43)**

Surrounding property owners will be notified, as required, regarding use permits on the project site.

## **G. PARKING**

*Following are the general comments that were made on parking, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

**1. Not enough parking spaces provided – overflow parking onto neighborhood streets (2, 4, 5, 7, 9, 10, 12, 13, 14, 15, 17, 20, 24, 26, 28, 29, 31, 35, 37, 39, 40, 41, 42, 45, 49, 55, 57, 58)**

The parking planned for the project is described in section I. C. Description, Parking / Circulation, pages 14-15 of the Draft EIR, which has been updated and amended. The number of parking spaces provided has increased from 1,672 to 1,762, but the 15 parallel spaces (formerly 50 diagonal spaces) along Halford Avenue are not counted as project spaces. The ground level of Building II and the ground and second levels of Buildings V and VI are designated for mixed-use parking for the retail and office uses and as guest parking for the residential units. The secured parking spaces for residential tenants only will be located on the second, third and fourth levels of Building II, the third and fourth levels of Building V and third level of Building VI.

The Zoning Ordinance Parking Regulations section requires that when there are mixed (multiple) uses on one site or in the same building, the parking provided shall meet Ordinance requirements for each of those uses. However, in keeping with the Transit-Oriented Mixed Use Zoning District (TMU District) principles that recognize the benefit of combining retail, residential and restaurants on transit lines, thus reducing trips and parking needs, the applicant is requesting that a parking reduction of 6 percent from the total required be granted. The reduced number of spaces is based on the fact that some people will use public transit, occupants of the residential units will shop at the site, and a percentage of visitors will likely stop at more than one place when visiting the site. However, since this project is not being processed as a TMU District project, a Variance to the total number of parking spaces is required in conjunction with the Planned Development zoning to approve the proposed reduction in parking from 1,876 spaces to 1,762 spaces. See Text Amendments to section I. C. Description.

There is a possibility of overflow parking, particularly onto Halford Avenue adjacent to the site and Burnley Way across from the site, especially during the Christmas Holiday season. Parking requirements are not designed for peak periods, as this would require excessive pavement and impervious surfaces. If overflow parking is a major concern after the project is occupied, residential permit parking restrictions could be considered.

While parking is always a concern, the slight reduction in the parking standard is not itself a significant environmental impact, and a potential decrease in the availability of on-street parking is not, in and of itself, a significant environmental impact either. Inadequate parking would be considered a significant environmental impact only where that lack of parking would result in a secondary physical impact that is significant and adverse; i.e., if the lack of adequate parking



resulted in a significant land use impact or in significant traffic, noise or air quality impacts. As indicated on page 65 of the Draft EIR, these types of impacts are not expected to occur as a result of the proposed project.

**2. Not enough mass transit use to justify reduced parking (14, 20, 41)**

High density projects such as the proposed project that are located along mass transit lines are designed to increase mass transit ridership. There are no known studies that correlate transit usage based on density or ownership.

**3. Parking along southerly site boundary (8, 13, 40, 58)**

The parking area at the rear of the project adjacent to the existing residential will be designed to have a gate closing off the driveway from Halford Avenue, except for truck deliveries, to prevent unrestricted through traffic in this area. This area will be designated for employee parking to reduce potential noise impacts.

## **H. PROJECT SCHEDULE**

*Following are the general comments that were made on the project schedule, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

**1. No timetable for construction given (13, 14, 29, 53, 58)**

The comments are acknowledged. No precise start and stop dates are known. The project will be constructed in phases, that are also described in the Development Agreement. See Text Amendments to section I. C. Description.

## **I. PUBLIC SERVICES**

*Following are the general comments that were made on public services, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

### **Schools**

**1. Generation of too many new students for already crowded schools (6, 12, 19, 26, 33, 35, 39, 40, 41, 42, 43, 44, 49, 50, 55, 57)**

The original school research with the Santa Clara Unified School District was conducted in October, 2003. The District was contacted again in November, 2006 and the school capacity and student generation information was updated. Based on a 2004 District generation-factor study, the student generation from the project has been reduced from 250 to 54 and, according to the District, none of the schools is currently impacted. See Text Amendments to section III. L. Public Services.

As stated on page 75 of the Draft EIR, the generation of new students is not considered to have a significant physical impact on the environment, and is not required to be evaluated as part of an Environmental Impact Report. School impact fees to offset the increased demands caused by the proposed project on elementary and high schools and related facilities will be paid to the Santa

Clara Unified School District as a condition of project approval in accordance with California Government Code Section 65996. Under State law, the payment of school impact fees is considered to provide school facilities mitigation under CEQA.

#### Parks and Recreation

##### **2. Not enough onsite recreation / open space (13, 35, 40, 42, 43)**

As stated on page 14 of the Draft EIR, the project includes private open space/recreation facilities. Project amenities will include a children's playground (Building II), small picnic area with grass and shade trees (Building V), and fitness rooms. In addition, passive recreational opportunities will be provided in the landscaped podium courtyards of Buildings II, V and VI. The project meets City Parks and Recreation Department requirements for open space. See Text Amendments to section III. L. Public Services.

##### **3. Increased use of area parks / school fields (26, 42, 55, 57)**

The comments are acknowledged. As stated on page 76 of the Draft EIR, the project would increase the demand for public park facilities / school fields in the area. There is no way to quantify such usage. Increased public park usage is not a significant environmental impact unless new facilities are deemed to be required as a result of the project.

#### Fire Protection

##### **4. Negative impact on fire protection (39, 40)**

The project has been reviewed by the Fire Department through the project clearance process; and, according to the City Fire Marshal, it meets all of their requirements. The 22 to 26-foot aisle width along the back of the Kohl's building was approved by the Fire Marshal.

#### Police Protection

##### **5. Neighborhood crime will increase (8, 15, 25, 28, 33, 39, 40, 58)**

A police substation will be incorporated into the project to help serve the western area of the City. There is no evidence that there will be significant crime or safety issues caused by the project.

There will be private security onsite after sunset; and the owner of the commercial portion of the development and/or the homeowners association will step-up security to include daytime hours, as necessary, after consultation with the Police Department.

## **J. TRANSPORTATION / TRAFFIC**

*Following are the general comments that were made on traffic, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

##### **1. Increased traffic in general (5, 8, 9, 11, 15, 16, 25, 32, 33, 38, 40, 44, 48, 49, 50, 55)**

The comments are acknowledged. A comprehensive evaluation of the project's traffic impacts, consistent with the requirements of CEQA, was provided in section III. M. Transportation / Traffic, pages 77-89 of the Draft EIR.

**2. Increased traffic along Halford Avenue** (6, 10, 13, 17, 24, 29, 31, 34, 35, 40, 42, 43, 46, 48, 58)

Traffic volumes along Halford Avenue between El Camino Real and Lillick Drive would increase with the addition of project traffic. Halford Avenue, in its current configuration, serves a low volume of traffic and has the capacity to serve the projected traffic volumes of the proposed project. Halford Avenue is classified as a “collector” and is intended to serve as a link to major arterials and provide access to the adjacent properties. Some of the existing driveways serving the site will be reconstructed; however, the project is not proposing any additional access points.

Improvements to Halford Avenue will be made as part of the project development. Improvements include striping of southbound lanes to accept the dual left-turn lanes from El Camino Real and a raised median along the project’s Halford Avenue frontage.

**3. Westbound El Camino Real to southbound Halford Avenue left-turn movement** (4, 20, 34, 37, 40)

In addition to typical intersection level of service analyses, the operations of the intersection of Halford Avenue and El Camino Real were analyzed as part of an evaluation of site access because this intersection serves as the primary gateway to the project site. The operations analysis consisted of the evaluation of the projected vehicle queues at the intersection. Vehicle queues for the westbound left-turn movement were evaluated with the use of the TRAFFIX computer software to determine whether the provided storage capacity would be adequate to serve project-condition volumes. As stated on page 88 of the Draft EIR, the analysis indicated that the provided storage capacity for the westbound left-turn at El Camino Real and Halford Avenue would be adequate to serve project traffic. There is currently no striping on Halford Avenue for the two existing left-turn lanes from El Camino Real. The striping on Halford Avenue to accept each of the left-turn lanes will be provided by the project. The evaluation of operational and site access issues are not considered CEQA issues, nor are any identified operational deficiencies considered impacts; therefore, the striping on Halford Avenue is not a mitigation measure.

**4. Increased traffic along neighborhood streets and near Laurelwood Elementary School** (10, 13, 14, 17, 19, 20, 23, 24, 31, 34, 35, 39, 40, 41, 46, 56, 57)

The effects of project traffic on surrounding neighborhood streets were analyzed as part of the traffic impact analysis at the request of the City of Sunnyvale. The analysis consisted of travel time runs to evaluate the potential of cut-through traffic, or the use of residential streets to avoid congestion along the major roadways. The travel time runs indicated that the use of residential streets would result in no time savings for commuters. Though it can be expected that streets serving Laurelwood Elementary School will see an increase in traffic volumes due to residents of the project dropping off and picking up children, the increase in traffic would equate to no more than 10 peak hour trips along the residential streets (no more than 100 daily trips, or 7 percent of existing traffic volumes), which would be less-than-significant.

**5. El Camino Real congestion and cut-through traffic along neighborhood streets (21, 23, 28, 35, 40, 43, 45, 53, 56, 57)**

The comment refers to the potential increase in traffic volumes along the residential streets of Bryant Way, Thunderbird Avenue, and Burnley Way due to vehicles using the streets to avoid congestion along El Camino Real, west of Halford Avenue. This may be an existing concern in the City of Sunnyvale, which could investigate it and look at traffic-calming measures or whatever is needed to discourage cut-through traffic. The project is projected to add a maximum of 36 peak hour vehicles to El Camino Real, west of Halford Avenue. If a small percentage of the 36 peak hour vehicles was to use the identified streets as a means to avoid congestion along El Camino Real, the existing problem would be minimally impacted by the project.

**6. Existing congestion at El Camino Real and Lawrence Expressway (2, 3, 7, 9, 14, 44, 53)**

As stated on page 85 of the Draft EIR, the existing plus approved level of service at the intersection of El Camino Real and Lawrence Expressway (Level C in the a.m. peak hour and Level D in the p.m. peak hour) would remain unchanged with the addition of project traffic; therefore, the project's impact at that intersection would be less-than-significant.

**7. Metering of the Lawrence Expressway southbound on-ramp needed (14, 53)**

Ramp metering was suggested for the southbound Lawrence Expressway on-ramp. A metering light would probably help the merge situation because there would be fewer cars; however, it is not recommended because it would cause backups onto El Camino Real that could block driveways and potentially Halford Avenue. In addition, it should be noted that the County does not have meters on any of the expressway ramps.

**8. Project should access directly onto Lawrence Expressway ramp (35, 40, 41, 43)**

The concept of providing project access from Lawrence Expressway is infeasible. The County has a policy of not allowing access to their expressways via non-signalized locations. There would need to be a signal installed, which is also infeasible because of the vertical sight distance problems and spacing of the El Camino / Lawrence intersections and overcrossing. Providing access to the project site would create numerous operational problems and create unsafe conditions near the potential project driveway. The distances between the El Camino Real to SB Lawrence ramp and the potential project driveway would be inadequate to allow for proper acceleration and deceleration of vehicles entering Lawrence from El Camino and the new project driveway. The evaluation of the distance between the El Camino to SB Lawrence on-ramp and the Lillick Drive access point indicate that the distances are already shorter than desirable. Providing a new project access between the two points would worsen the problem.

**9. Lawrence Expressway and Lillick Drive (12, 13, 14, 20, 29, 35, 40, 41, 43, 46, 53, 58)**

Comments were received regarding increased traffic volumes along Lillick Drive due to the project and the safety of the right-turn lanes at Lillick Drive and Lawrence Expressway. The effects of project traffic on surrounding streets were analyzed as part of the traffic impact analysis. The analysis indicated that though the project would increase traffic volumes along

Lillick Drive east of Halford Avenue (by approximately 490 daily trips, from an existing 1,700 daily trips), the increase would not create operational problems along this street. Lillick Drive is classified as a “collector” and is intended to serve as a link to major arterials and provide access to adjacent properties.

The closure of access to and from Lawrence Expressway at Lillick Drive is an option to curb increased traffic volumes along Lillick Drive between Halford Avenue and Lawrence Expressway; however, the closure would put further strain on Benton Street and El Camino Real. The benefits of decreased traffic volume along Lillick Drive with the closure could potentially create numerous problems within the surrounding neighborhood. The evaluation of operational issues are not considered CEQA issues.

Lillick Drive currently provides access to and from southbound Lawrence Expressway via right-turn lanes. Left turns at the intersection are not permitted. Deceleration and acceleration lanes aid access to and from Lawrence Expressway. The deceleration lane that provides for the right turn from southbound Lawrence Expressway to westbound Lillick Drive is approximately 250 feet long, and the posted speed limits on Lawrence Expressway and Lillick Drive are 50 mph and 35 mph, respectively. Guidelines outlined in geometric design manuals (AASHTO) for streets specify that vehicles require approximately 300 feet to slow from 50 mph to 20 mph and 250 feet to slow from 50 mph to 30 mph. It is physically impossible to provide the more conservative 300 feet recommended by guidelines, but the provided distance does allow adequate space for vehicles to slow to less than 30 mph prior to making the right turn to Lillick Drive.

Vehicles entering southbound Lawrence Expressway from Lillick Drive are provided an acceleration lane of approximately 450 feet to reach expressway speeds. Guidelines specify that “low performing” vehicles require approximately 650 feet to increase speed from 20 mph to 50 mph. Though the provided acceleration lane length is shorter than recommended for “low performing” vehicles, most vehicles are capable of reaching expressway speeds within the provided length. Also aiding the access to Lawrence Expressway, vehicles entering southbound Lawrence Expressway from Lillick Drive merge into a high occupancy vehicle (HOV) lane during peak hours. The HOV lane serves less traffic than the typical mixed-flow lane allowing for gaps in traffic flow for merging vehicles.

Comments were made in regards to the large number of accidents that occur at the Lillick Drive to/from Lawrence Expressway ramps. Accident history provided by the City of Santa Clara indicates that there has been only one accident involving physical damage to a vehicle between January, 2002 and December, 2005. One accident over the four year span is far less than average. Therefore, based on the accident history, it does not appear that the existing deceleration and acceleration lane lengths create unsafe conditions at the intersection of Lillick Drive and Lawrence Expressway. Public comments regarding “near misses” and conflicting movements at these on- and off-ramps are acknowledged.

**10. Traffic study old/inadequate, significance criteria bad (40, 56)**

Traffic counts used in the traffic analysis were collected primarily during September – October, 2003. A list of approved projects dated July, 2003 was provided by the City of Santa Clara for use in the traffic study. An initial traffic study for the project was completed in April, 2004. The traffic study was revised in April, 2005 to reflect a change in the project description. It was decided not to re-collect count data for the revised analysis since there had not been a significant amount of development in the area, and the traffic volumes were actually decreasing along most roadways due to the economic downturn. Therefore, the current traffic study dated April 4, 2005 utilizes the original traffic counts collected. The list of approved projects includes all major approved development in the area, including the Kaiser Hospital along Lawrence Expressway.

**11. Increased traffic reduces safety of children walking to school / playing and biking in the neighborhood (11, 12, 19, 26, 34, 39, 40, 48, 55)**

Increased traffic does not directly relate to increased accidents. Santa Clara streets are designed and regulated by established standards, with traffic safety and accident prevention as the highest priority.

**K. UTILITIES AND SERVICE SYSTEMS**

*Following are the general comments that were made on utilities and service systems, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:*

**1. Adverse impact on utilities (8, 25, 39)**

As described in section III. N. Utilities and Service Systems, pages 90-96 of the Draft EIR, most utilities, including wastewater treatment, water, storm drainage, solid waste, natural gas and telephone service, are available and adequate to serve the project. Sanitary sewers and electric service in the area are deficient and require mitigation. As stated on pages 95-96 of the Draft EIR, the project will pay their fair share for the construction of the needed new sanitary sewer facilities, which will be constructed by others prior to or concurrently with the project, or if not constructed by others, will be constructed as part of the project; and must be operational prior to the issuance of project occupancy permits for any phases of the project that may exceed available capacity. In addition, the onsite and offsite underground electric distribution systems will be upgraded to include facilities and substructures across El Camino Real. See Text Amendments to section III. N. Utilities and Service Systems (Sanitary Sewers).